

UNITED STATES OF AMERICA
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:12-CR-201-1F

UNITED STATES OF AMERICA)	
)	
vs.)	<u>ORDER</u>
)	
ARIC DEVON BLACKWELL,)	
Defendant.)	


This matter is before the court *sua sponte*. In the Government's most recent response [DE-110] to Blackwell's Motion in Limine [DE-107], the Government requests that the court appoint counsel for a potential witness in Blackwell's retrial. However, defense counsel's most recent motion [DE-114], to which the Government consented, requests that the court hold in abeyance the motion in limine pending further discussions between the Government and defense counsel. The court is not sure if the parties would prefer that it proceed with appointing counsel for this witness, or if it should also hold in abeyance consideration of the Government's request for appointment of counsel. Accordingly, the parties are **DIRECTED** to file a joint response **on or before March 3, 2014** addressing the issue of whether the court should appoint counsel for this witness immediately, or hold consideration of the request pending further discussion between counsel. The court has no particular preference regarding when (or if) counsel needs to be appointed; it simply did not want the parties to be waiting for the court to rule on this issue.

The motion in limine, to the extent it requests court intervention in the Government's trial preparation and investigative efforts, is **HELD IN ABEYANCE** pending further discussions

between the parties.¹ However, the parties are DIRECTED to submit a joint response on or before **March 3, 2014** regarding whether the court should proceed with appointing counsel for the potential witness. Blackwell's motion for in camera review [DE-115] will be addressed by a separate order, after the Government has had an opportunity to respond.

SO ORDERED.

This the 25th day of February, 2014.



JAMES C. FOX
Senior United States District Judge

¹ Counsel has withdrawn the portion of this motion which requests appointment of a special prosecutor.